

DECLARATION OF EMERGENCY

Department of Public Safety and Corrections State Uniform Construction Code Council

Provisional Certificate of Registration Deadline (LAC 55:VI.903)

In accordance with the provisions of R.S. 40:1730.22, and R.S. 40:1730.35, relative to the authority of the Louisiana State Uniform Construction Code Council (LSUCCC) to promulgate and enforce rules, the LSUCCC finds that an imminent peril to the public welfare requires adoption of a rule upon shorter notice than that provided in R.S. 49:953(A) as the provisional certificates of registration issued pursuant to R.S. 40:1730.35(D) and LAC Title 55, Part VI, Chapter 9, §903 will expire effective January 1, 2012. The expiration of these provisional certificates of registration will result in the loss of over 200 building code enforcement officers statewide. This loss of building code enforcement officers will result in a significant increase in the time it takes to have plans reviewed and construction projects inspected for both commercial and residential construction. The LSUCCC is proposing a 90 day extension of these provisional certificates of registration to allow the affected building code enforcement officers additional time to comply with the certification requirements contained in LAC Title 55, Part VI, Chapter 7, §703. In order to avoid costly delays in both residential and commercial construction, it is necessary to adopt these emergency rules to have this exception in place until the affected building code enforcement officers have time to comply with §703. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect until March 31, 2012. This Emergency Rule is effective December 28, 2011. The Louisiana State Uniform Construction Code is amended as follows.

Title 55

PUBLIC SAFETY

Part VI. Uniform Construction Code

Chapter 9. Temporary Exemption to Certification Requirement

§903. Employment prior to January 1, 2007

A. ...

B. The building code enforcement officers designated in Subsection A above shall have until March 31, 2012, to satisfy the certification requirements as set forth in §703 of this Part. Officials availing themselves of this provision shall obtain the required continuing education units and have attempted at least one International Code Council certification exam by January 1, 2010. Failure to do either shall result in the revocation of that official's provisional certificate of registration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D), and R.S. 40:1730.35(D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:293 (February 2007), amended LR 35:2821 (December 2009), repromulgated LR 36:329 (February 2010), LR 38:

**Jill Boudreaux
Undersecretary**